Post Story Denied by Justice Dept.

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Associated Press

A Justice Department spokesman yesterday denied a Washington Post report that FBI Director Clarence M. Kelley had tried to stop a department investigation into the alleged bribing of an FBI agent by a reputed member of the Mafia.

The Post reported yesterday that Kelley twice made unsuccessful attempts to stop the Justice Department probe. The newspaper said the department's investigation had been started after an initial FBI inquiry into the bribe allegation turned up no evidence against New York FBI agent Joseph Stabile.

However, Justice Department spokesman Robert Havel said he had examined official memoranda between Kelley and department officials on the case and said: "I just can't interpret them as an attempt by Kelley to try to turn off this investigation."

Havel added that in the exchange of memoranda last December, Kelley said that whatever the FBI might do administratively in the case should have no influence on the subsequent investigation by the Criminal Division of Justice.

The spokesman said Stabile is still with the FBI and currently assigned to the bureau's Boston office.

According to The Post, Kelley initially asked high-ranking Justice officials in 1973 to call off the follow-up investigation by members of the federal organized crime strike force in Brooklyn on the grounds that the preceding FBI probe had found no violations of law.

The newspaper said Kelley also complained that the Justice investigation was hurting FBI morale.

Subsequently, Henry E. Petersen, then chief of the Criminal Division, told the Brooklyn prosecutors of Kelley's attempts and informed Kelley that the investigation would continue, The Post said.